



**November 2012 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
- Ratification
- Information

**PROFESSIONAL STANDARDS BRANCH
December 20, 2012 *OPEN MEETING***

Approved by:

**Rod R. Knecht
Chief of Police**

2012-12-06

Inspector Denis Jubinville



December 28, 2012

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Denis Jubinville
Professional Standards Branch

RE: MONTHLY REPORT – November 2012

This report relates to the Professional Standards Branch (PSB) statistics for November 2012.

During the month of November 2012, PSB opened 95 new files:

- 14 Public complaints as defined by Part 5 of the *Police Act*;
- 4 Internal complaints as defined by Part 5 of the *Police Act*;
- 15 EPS Matters; and
- 62 Citizen Contacts.

Additionally, 2 files were directed for Criminal Investigation (Statutory Complaint).

Concluded 107 files:

- 0 Public Statutory Complaints;
- 2 Internal Statutory Complaints;
- 11 Public complaints as defined by Part 5 of the *Police Act*, including 1 complaint regarding policies or services provided by the EPS;
- 8 Internal complaints as defined by Part 5 of the *Police Act*;
- 12 EPS Matters; and
- 74 Citizen Contacts.

The Edmonton Police Service received 39,499 calls in Communications Section, dispatched 14,607 of those calls and recorded opening 20 compliments.

Inspector Denis Jubinville
Professional Standards Branch

cc: Shami Sandhu, Chair, Edmonton Police Commission



**Professional Standards Branch
November 2012
Edmonton Police Service**

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NOVEMBER 2012 OVERVIEW & UPDATES

The management team of Professional Standards Branch (PSB) has selected Phil Feltmate to be PSB's new civilian investigative manager. Mr. Feltmate has an extensive policing background, and our office looks forward to his commencement in late December. Intake Section selected a .5 constable who began working with PSB on November 26. Two new detectives have been selected to transfer laterally into PSB as well as one newly promoted detective. PSB's new legal counsel, Kirk MacDonald, announced that he will be leaving PSB after being appointed a provincial court judge. Pending his replacement, PSB will be acquiring part-time legal assistance from a local firm.

STATISTICAL SUMMARY

November Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the month of November. Blue colours represent informal files and red colours represent formal investigations. Lighter shades indicate internally generated files and darker shades indicate externally generated files. As can be seen below, during the month of November, PSB received 77 informal files and 18 formal complaints.

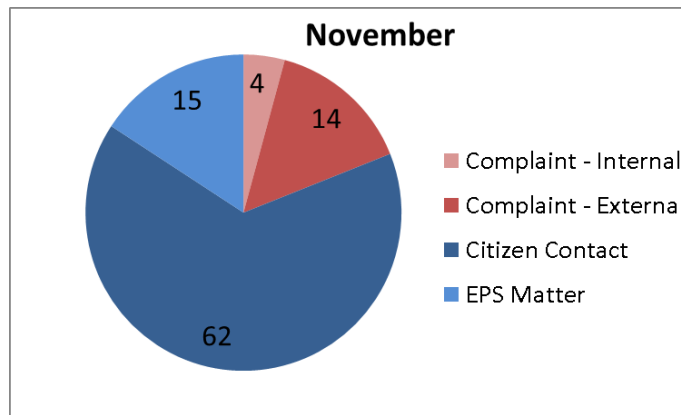


Figure 1-1. Type of Files Received During November

The following figure shows the year-to-date percentage increase or decrease in formal complaints and total files compared to 2011 values. As can be seen below, PSB has received the same number of formal complaints (195) in 2012 as compared to the same time period in 2011. Total files (including both informal and formal files), however, have increased by 10%, from 925 files in 2011 to 1,014 files in 2012.

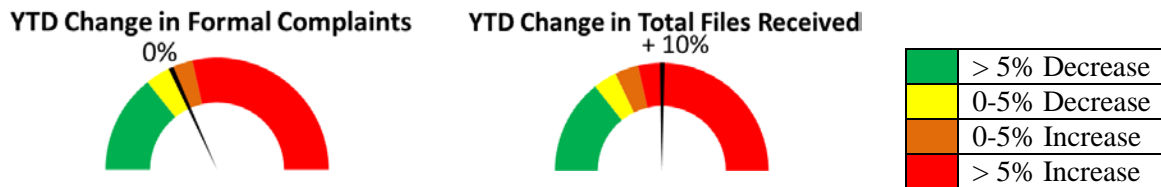


Figure 1-2. Year-to-Date Changes in Number of Files Received

2. CURRENT WORKLOAD

The following figure displays the status of all open PSB files and shows the age of the file for all active files. As of November 30, 2012, PSB had 508 open investigations; 258 of those files are *Police Act* or statutory investigations. The remaining files are informal concerns received internally or from the public. An investigation is listed as “Suspended” when it is not currently being advanced. Reasons for suspending a file may include executive review of the investigation, disciplinary hearings, criminal investigation, or court proceedings. An investigation is listed as “Forwarded” when it is ongoing but not under the control of PSB. Reasons for forwarding a file may include supervisory reviews, obtaining legal opinions, or investigation by outside investigators.

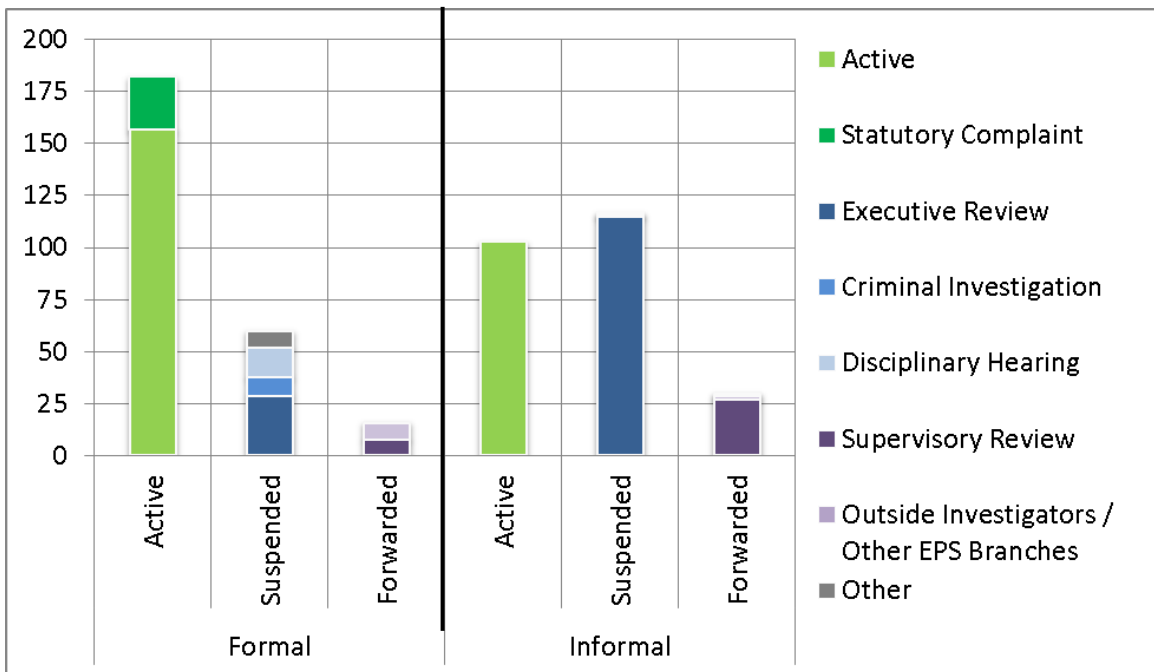


Figure 2-1. Status of All Open Investigations and Reasons for Suspension or Forward

The following figure shows the age and status of all open PSB investigations. Each individual marker (i.e., diamond, circle or triangle) represents one investigation; thus the number of open investigations for a given time period is indicated by the density of the markers.

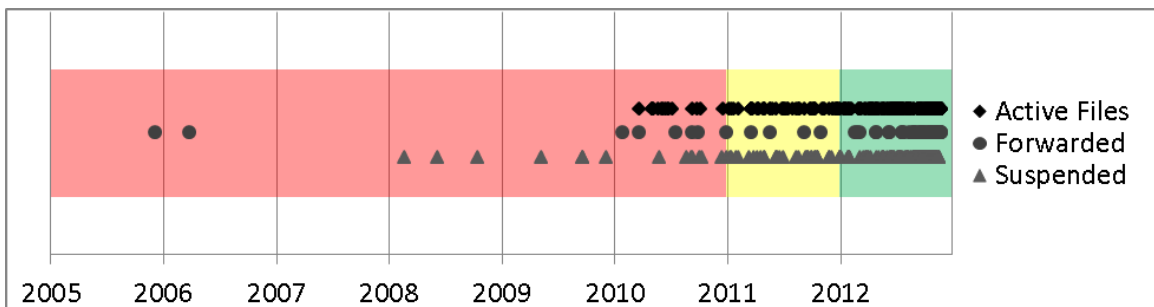


Figure 2-2. Age and Status of All Open Investigations

The following figure shows the stage of investigation for formal complaints by month. The stages of investigation include Clarification (interviewing the complainant to determine the specific details of the complaint), Collection (collection of evidence and witness interviews), Subject Officer Interviews (explanatory report and/or interview of the subject officer), Report (compiling the final report) and Disposition (executive review of the file). Investigations may also be placed on “Hold” (e.g., for dispute resolution, legal review, hearing, etc.) or may be undetermined (e.g., for complaints that are not proceeding to formal investigation). Complaints in the “Hold” stage or with an undetermined stage are not included in this figure.

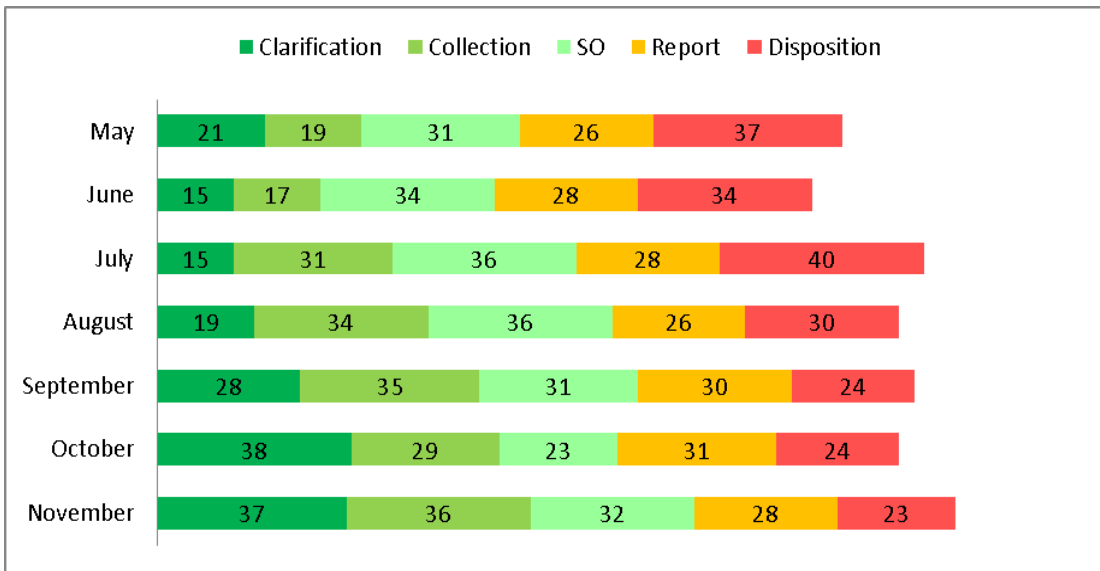


Figure 2-3. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all files concluded during the month of November, including 2 statutory complaints, 19 formal complaints, 74 citizen contact files and 12 EPS matters.

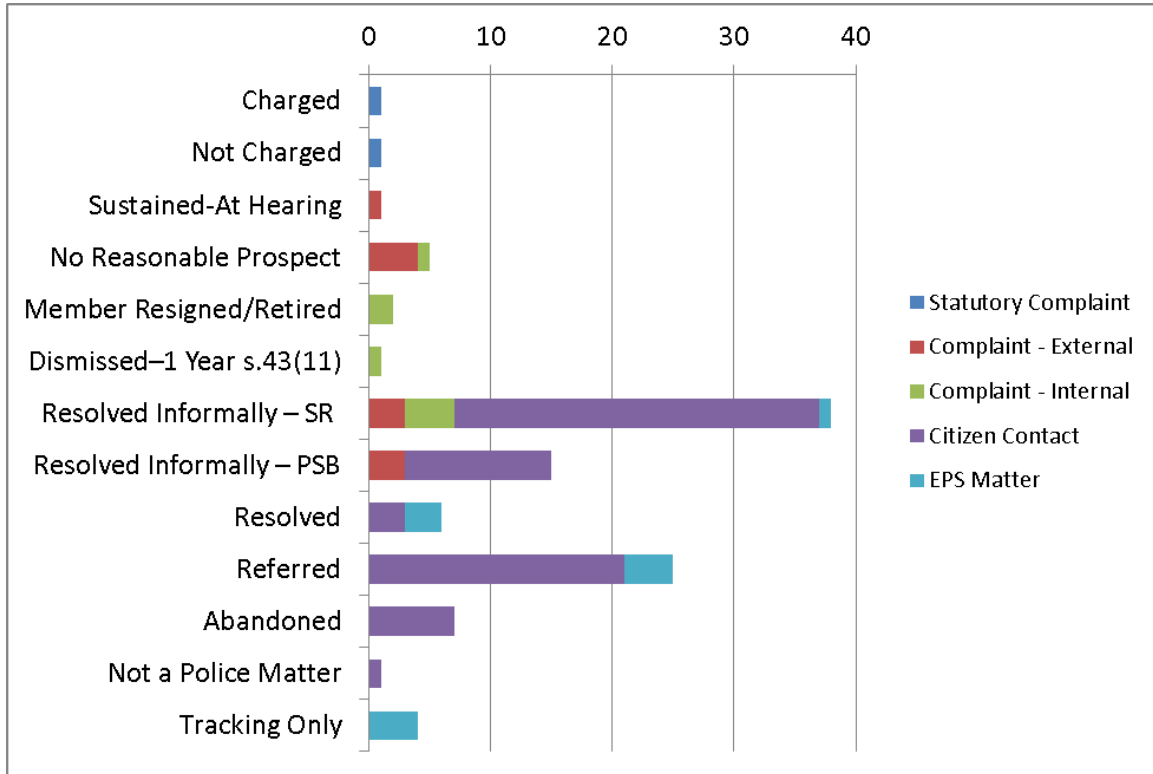


Figure 3-1. Dispositions of Concluded Files

	2010		2011		2012	
	November	YTD	November	YTD	November	YTD
Received						
Complaint	17	223	10	195	18	195
Citizen Contact	58	656	44	630	62	718
EPS Matter	0	93	15	100	15	101
Total	75	972	69	925	95	1014
Concluded						
Complaint	22	220	6	191	19	151
Citizen Contact	58	651	58	624	74	551
EPS Matter	3	66	15	110	12	88
Total	83	937	79	925	105	790

Figure 3-2. Three-Year File Comparison for the Month of November

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. I.A. File Number: IA2011-0464
Complainant: EPS
Date of Complaint: June 21, 2011
Subject Officer: Reg. No. 3095 Cst. T. Froma
• Discreditable Conduct x 3
Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

On December 5, 2012, an Agreed Statement of Facts was submitted to the Presiding Officer, and the officer pled guilty to three counts of discreditable conduct (the original Corrupt Practice allegation was amended to a Discreditable Conduct allegation during the course of the hearing). Supt. Grue issued the officer a total of 30 hours suspension without pay (10 hours per count).

PENDING DISCIPLINARY HEARINGS

1. I.A. File Number: IA2009-0674
Date of Complaint: May 5, 2009
Subject Officer: Constable A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 1
- Presenting Officer: G. Sim, Field LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for December 12, 2012.

2. I.A. File Number: IA2008-0801
Complainant: EPS
Date of Complaint: October 28, 2008
Subject Officer: Constable A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
- Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for December 13 and 14, 2012.

3. I.A. File Number: IA2011-0732
Complainant: EPS
Date of Complaint: September 26, 2011
Subject Officer: Constable A.B.
- Deceit x 2
 - Discreditable Conduct x 2
 - Insubordination x 1
- Presenting Officer: K. MacDonald, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Closed Disciplinary Hearing is scheduled for December 17, 2012.

4. I.A. File Number: IA2010-0836
Complainant: EPS
Date of Complaint: October 5, 2010
Subject Officer: Constable A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
- Presenting Officer: B. Parker, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for December 20, 2012.

5. I.A. File Number: IA2011-0745
Complainant: EPS
Date of Complaint: September 26, 2011
Subject Officer: Constable A.B.
- Corrupt Practice
 - Discreditable Conduct
 - Insubordination
 - Deceit
- Presenting Officer: Derek Cranna, Field LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for January 7 and 8, 2013.

6. I.A. File Number: IA2008-0475
Complainant: EPS
Date of Complaint: June 10, 2008
Subject Officer: Constable A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 2
- Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for February 5–7, 2013.

DELAYED OFFICER NOTIFICATION

Professional Standards Branch delayed notifying the subject officer in the following investigation:

1. I.A. File Number: IA2012-0480

Justification: Could interfere with or reveal investigative strategies currently being undertaken by ASIRT.

COMPLETED COMPLAINTS OF SERVICE
(Section 44 *Police Act*)

One (1) Complaint of Service under Section 44 of the *Police Act* was resolved or concluded in November 2012.

1. Concluded by the Chief of Police
I.A. File Number: IA2012-0696
Date of Complaint: August 23, 2012
Investigator: Intake Section

REVIEW PANEL MATTERS

There were no matters brought forward to the Review Panel during the month of November.

COMPLIMENTS

During the month of November 2012, twenty (20) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present two (2) of these letters.

1.

Dear Sir,

On Wednesday, October 31st at approximately 11:45 pm BC time we received a phone call at our residence in Salmon Arm, BC from the 911 dispatch center in Edmonton. The operator, whose name was Dave, advised me that a 911 call had been received from [deleted] via cell phone from a location near a Macs store in West Edmonton, and that he required emergency assistance and then the 911 call was ended. Dave was attempting to restore contact with [deleted], but was unsuccessful. Dave managed to contact us, [deleted]'s parents in Salmon Arm, BC., and he assured us that the police would continue to try to locate [deleted]. Our family was obviously very distressed and worried about this situation. We made contact with [deleted]'s friend, [deleted], who had accompanied [deleted] to a concert that evening. [Deleted] stated that he and [deleted] had become separated at the concert, and [deleted] was walking back to the hotel. He had no idea about [deleted]'s whereabouts, or that [deleted] was in need of emergency assistance. [Deleted] assured us that he would return to the concert location and try to find [deleted]. Meanwhile, we contacted Dave and he was kind enough to maintain contact with us as they searched for [deleted]. He also arranged for Constable Ryan May to contact us. Constable May called us and asked for a description of [deleted], and assured us that they would continue to search for him. A couple of hours later we were informed that [deleted] had been found by the police, and that they were taking him to his hotel. Constable May spoke briefly to us before turning the phone over to [deleted] so he could speak to us. [Deleted] told us that the concert was very out-of-hand, very crowded and he was simply trying to maintain contact with his friend [deleted]. Unfortunately, they got separated. It turns out that [deleted] had been ordered to leave the concert, and on his way back to the hotel was attacked by 2-3 males and assaulted; he requested 911 assistance.

On behalf of my family, I am writing to express our most sincere appreciation and thanks to Dave Grenis, Constable Ryan May (Badge #3161) and the other police personnel who were working on this file and trying to locate [deleted]. Words cannot express our gratitude to all who brought this situation to a positive outcome. Also thanks to Terry McMechan for providing additional information to us so that we could express our thanks and appreciation.

I was an Auxiliary Constable with the RCMP E Division for 15 years and know first-hand that this situation could have ended much differently.

We request that the individuals named above be formally recognized for the great work they did in performing their duties.

We would really appreciate it if the Chief of Police receives and reads this email from us.

Again, our sincere thanks to all of you for a job well done.

2.

Hi,

I called yesterday about a young man in Westmount who was wandering the streets wearing nothing but his shorts. I want to thank all the officers involved for their professionalism, kindness and skill.

My neighbour was clearly in need of help and EPS responded quickly. I'm so glad that he was in your capable hands and you were able to coax him into the ambulance to receive treatment. I appreciate that the officers didn't add to his distress by being rough, condescending or impatient.

I also appreciate the follow-up phone call to let me know that he was safe. From start to finish, this incident was handled perfectly.

Thank you for the work you do, every day, to help Edmontonians be safe and to help those in need.

Please pass on my commendations to the officers involved and let them know how much I appreciate their actions.

Edmonton Police Service Professional Standards Branch

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